



**BellSouth Telecommunications, Inc.**  
**Legal Department**  
1600 Williams Street  
Suite 5200  
Columbia, SC 29201

patrick.turner@bellsouth.com

**Patrick W. Turner**  
General Counsel-South Carolina

803 401 2900  
Fax 803 254 1731

February 28, 2005

Mr. Charles Terreni  
Chief Clerk of the Commission  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, South Carolina 29211

Re: Proceeding to Establish Guidelines for an Intrastate Universal Service Fund  
Docket No. 97-239-C

Dear Mr. Terreni:

Enclosed for filing are an original and ten copies of BellSouth Telecommunications, Inc.'s Petition to Intervene in the above-captioned matter.

By copy of this letter, I am serving all parties of record with a copy of this petition as indicated on the attached Certificate of Service.

Sincerely,

Patrick W. Turner

PWT/nml  
Enclosure  
cc: All Parties of Record  
PC Docs # 574503

RECEIVED  
2005 FEB 28 PM 2:57  
SC PUBLIC SERVICE  
COMMISSION

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NO. 1997-239-C

IN RE:

Proceeding to Establish Guidelines for an  
Intrastate Universal Service Fund

PETITION TO INTERVENE

RECEIVED  
2005 FEB 28 PM 2:57  
SOUTH CAROLINA  
PUBLIC SERVICE  
COMMISSION

Pursuant to S. C. Code Regs. 103-836 and in compliance with the Notice of Filing and Hearing issued January 25, 2005, BellSouth Telecommunications, Inc. ("BellSouth") respectfully petitions the Public Service Commission of South Carolina ("the Commission") for permission to intervene as a formal party of record in the above-captioned proceeding. In support of this Petition, BellSouth shows as follows:

1. BellSouth is a public utility presently providing comprehensive telecommunications services to its subscribers pursuant to intrastate tariffs on file with the Commission.
2. BellSouth participates in the state Universal Service Fund in compliance with Orders the Commission has entered in this docket.
3. BellSouth's authorized representative in this proceeding is:

Patrick W. Turner  
BellSouth Telecommunications, Inc.  
1600 Williams Street, Suite 5200  
Columbia, South Carolina 29201  
Telephone: (803) 401-2900  
Facsimile: (803) 254-1731

4. In April 2004, BellSouth and the Consumer Advocate entered a settlement agreement ("Agreement") that resolved all disputes arising out of another proceeding (Docket No. 1999-178-C), and the Supreme Court of South Carolina has entered an Order approving the Agreement. Paragraph 5 of the Agreement provides that:

BellSouth agrees that it will provide Lifeline credits to its end user customers who are at or below 125% of the federal poverty level if an agency of the State of South Carolina accepts applications from BellSouth end user customers seeking Lifeline credits under this criteria and confirms to BellSouth that such end user customers are actually at or below 125% of the federal poverty level.

5. BellSouth has participated in good-faith discussions with the Consumer Advocate and his designees regarding the implementation of this paragraph, and BellSouth has stated that it will work in good faith with any agency of the State of South Carolina, including the Office of Regulatory Staff ("ORS"), to implement the provisions of Paragraph 5 of the Agreement.

6. In a letter to the Commission dated December 15, 2004, the ORS states that it is "seeking authorization to utilize Universal Service Fund monies . . . to qualify households in the BellSouth territory that are at 125% of poverty level and are eligible to receive the benefits of these services," and that it "has agreed to administer the program that will provide credits to additional qualifying consumers . . . upon the contingency that the South Carolina Public Service Commission allows funds to be allocated to the ORS from the Universal Service Fund administrative expense component." The ORS' letter states that it also is "seeking authorization to utilize Universal Service Fund monies to increase awareness of the state's Lifeline and Link-up programs" generally.

7. At this time, BellSouth does not anticipate taking a position on the ORS's request to withdraw funds from the Universal Service Fund administrative expense component, and BellSouth does not anticipate taking a position on the "Lifeline Budget Proposal" attached to the ORS' letter.

8. BellSouth, however, will be affected by the Commission's rulings in this proceeding, and BellSouth has an interest in having the opportunity to review and, if necessary, address the positions taken by other parties to this proceeding.

9. Permitting BellSouth as a party will not cause any undue delay.

WHEREFORE, based on the foregoing, BellSouth requests the following relief:

1. that it be allowed to intervene as a formal party of record in this proceeding by this Commission's granting its Petition to Intervene;

2. that any parties of record be directed to provide BellSouth with a copy of any pleadings, testimony and exhibits or any other filings made in this proceeding; and

3. that the Commission grant such other relief as it deems just and proper.

This 28<sup>th</sup> day of February, 2005.

Respectfully submitted,



---

Patrick W. Turner  
1600 Williams Street, Suite 5200  
Columbia, South Carolina 29201  
(803) 401-2900

ATTORNEY FOR BELL SOUTH  
TELECOMMUNICATIONS, INC.

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 97-239-C

RECEIVED  
2005 FEB 28 PM 2:57  
SC PUBLIC SERVICE  
COMMISSION

IN RE: Proceeding to Establish Guidelines )  
for an Intrastate Universal Service Fund )  
\_\_\_\_\_ )

CERTIFICATE OF SERVICE

This is to certify that the undersigned, Nyla M. Laney, is employed by the Legal Department for BellSouth Telecommunications, Inc. and that she has caused BellSouth Telecommunications, Inc.'s Petition to Intervene in the foregoing matter to be served upon the persons named below this 28th day of February, 2005, by placing copies of same in the United States Mail, postage prepaid, addressed as follows:

Frank Ellerbe, III, Esquire  
Robinson, McFadden & Moore  
Post Office Box 944  
Columbia, South Carolina 29202  
**(U.S. Mail and Electronic Mail)**

F. David Butler, Esquire  
General Counsel  
South Carolina Public Service Commission  
Post Office Box 11649  
Columbia, South Carolina 29211  
**(U.S. Mail and Electronic Mail)**

Kennard B. Woods, Esquire  
MCI Metro Access Transmission  
Services LLC, MCI WORLDCOM  
Communications, Inc., and MCI  
WORLDCOM Network Services, Inc.  
Six Concourse Parkway, Suite 3200  
Atlanta, Georgia 30328  
**(U.S. Mail and Electronic Mail)**

Marty H. Bocock, Jr. Esquire  
Director-External Affairs  
Sprint  
1122 Lady Street, Suite 1050  
Columbia, South Carolina 29201  
**(U.S. Mail and Electronic Mail)**

John F. Beach, Esquire  
John J. Pringle, Jr., Esquire  
Ellis Lawhorne & Sims, P.A.  
Post Office Box 2285  
Columbia, South Carolina 29202  
**(U.S. Mail and Electronic Mail)**

Scott A. Elliott, Esquire  
Elliott & Elliott, P.A.  
721 Olive Street  
Columbia, South Carolina 29205  
**(U.S. Mail and Electronic Mail)**

William R. Atkinson  
Sprint  
3065 Cumberland Circle  
Mailstop GAATLD0602  
Atlanta, Georgia 30339  
**(U.S. Mail and Electronic Mail)**

Faye A. Flowers, Esquire  
Parker Poe Adams & Bernstein LLP  
Post Office Box 1509  
Columbia, South Carolina 29202-1509  
**(U.S. Mail and Electronic Mail)**

Robert E. Tyson, Jr., Esquire  
Sowell Gray Stepp & Laffitte, LLC  
1310 Gadsden Street  
Columbia, South Carolina 35802  
(ITC^DeltaCom Communications, Inc.)  
**(U.S. Mail and Electronic Mail)**

Nanette Edwards, Esquire  
ITC^DeltaCom Communications, Inc.  
4092 S. Memorial Parkway  
Huntsville, Alabama 25802  
**(U.S. Mail and Electronic Mail)**

Elliott F. Elam, Jr., Esquire  
S. C. Department of Consumer Affairs  
3600 Forest Drive, 3<sup>rd</sup> Floor  
Post Office Box 5757  
Columbia, South Carolina 29250-5757  
**(U.S. Mail and Electronic Mail)**

Darra W. Cothran, Esquire  
Woodward, Cothran & Herndon  
1200 Main Street, 6th Floor  
Post Office Box 12399  
Columbia, South Carolina 29211  
**(U.S. Mail and Electronic Mail)**

M. John Bowen, Jr., Esquire  
McNair Law Firm  
Post Office Box 11390  
Columbia, South Carolina 29211  
**(U.S. Mail and Electronic Mail)**

Stan J. Bugner, State Director  
Verizon Select Services, Inc.  
1301 Gervais Street, Suite 825  
Columbia, South Carolina 29201  
**(U.S. Mail and Electronic Mail)**

Steven W. Hamm, Esquire  
Richardson, Plowden, Carpenter & Robinson  
Post Office Box 7788  
Columbia, South Carolina 29202  
**(U.S. Mail and Electronic Mail)**

Susan B. Berkowitz, Esquire  
SC Appleseed Legal Justice Center  
Post Office Box 7187  
Columbia, South Carolina 29202  
**(U.S. Mail and Electronic Mail)**

John M. S. Hoefer, Esquire  
Willoughby & Hoefer, PA  
Post Office Box 8416  
Columbia, South Carolina 29202-8416  
**(U.S. Mail and Electronic Mail)**

Craig K. Davis, Esquire  
1420 Hagood Drive  
Columbia, South Carolina 29205  
**(U.S. Mail and Electronic Mail)**

  
\_\_\_\_\_  
Nyla M. Laney

483895